

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

KELLY RUXTON, an individual;

Plaintiff,

vs.

MATRIXX INITIATIVES, INC., a Delaware Corporation; ZICAM, LLC, an Arizona Limited Liability Corporation; BOTANICAL LABORATORIES, INC., a Washington Corporation; and WAL-MART STORES, INC., a Delaware Corporation;

Defendants.

4:11CV3183

MEMORANDUM AND ORDER

The parties' stipulation, (Filing No. 33), is granted, and the final progression order is modified as follows:

- 1) The deadline for identifying expert witnesses expected to testify at the trial is December 31, 2012.
- 2) The deadlines for complete expert disclosures, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

For the plaintiff(s): January 18, 2013
For the defendant(s): March 15, 2013

- 3) All other deadlines of the final progression order remain in effect.

December 14, 2012.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge